



8-25-03

AK/3636

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/986,213
	Filing Date	10/22/2001
	First Named Inventor	Xue, Ryan et al.
	Group Art Unit	3636
	Examiner Name	Burnham, Sarah C.
Total Number of Pages in This Submission		Attorney Docket No. 41575-29337 (114)

ENCLOSURES (check all that apply)

<input type="checkbox"/> Charge Deposit Account -08-3460 <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> Affidavits/declarations(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Request To Rescind Previous Nonpublication Request <input type="checkbox"/> Response to Notice of Allowability <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: <input checked="" type="checkbox"/> Commissioner is hereby authorized to charge fees in this application and any fees which may be required, or any overpayment, to Deposit Account 08-3460. I have enclosed a duplicate copy of this sheet <input checked="" type="checkbox"/> Amount: \$320.00		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Grant D. Kang; Husch & Eppenberger LLC, 190 Carondelet Plaza, St. Louis, MO 63105; Telephone 314.480.1500; Facsimile 314.480.1505
Signature	<i>Grant D. Kang</i>
Date	9/25/03

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**NOTICE OF APPEAL FROM THE
EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

DOCKET NUMBER: **41575-29337 (11)**

In Re Application of: **Xue, Ryan et al.**

Application No.
09/986,213

Filed:
10/22/01

For: **APPARATUS AND METHOD FOR CYCLIC
ADJUSTMENT OF A SUPPORTING ELEMENT IN A
SEAT**

Art Unit: **3636**

Examiner:
BURNHAM, SARAH C.

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Signature: *Tina Marlow*
Date: **9-25-03**



Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37CFR 1.17(b))

\$320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half and the resulting fee is:

\$

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

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☒ The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 08-3460. I have enclosed a copy of this sheet.

☐ A petition for extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the:

☐ Applicant/inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.

☒ Attorney or agent of record. Registration No.: **37,651**

☐ Attorney or agent acting under 37 CFR 1.34(a). Registration if acting under 37 CFR 1.34(a):

Grant D. Kang

Typed or Printed Name

314.480.1500

Telephone Number

9/25/03

Date

☒ Total of 0 forms are submitted.